

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

MICHAEL CLARK,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:22-cv-01089
)	
LIBERTY MUTUAL INSURANCE COMPANY,)	<i>(Removed from the Chester County Circuit Court, Case No. 22-CV-11)</i>
)	
Defendant.)	

AFFIDAVIT OF S. NEWTON ANDERSON

STATE OF TENNESSEE)
COUNTY OF SHELBY)

Pursuant to Fed. R. Civ. P. 54 and LR 54.1, the Affiant, S. Newton Anderson, being duly sworn upon oath states as follows:

1. My name is S. Newton Anderson, and I am currently Of Counsel with the law firm of Spicer Rudstrom, PLLC after having joined the firm in 1985 and being a Partner or Member from 1990 through 2021. Spicer Rudstrom, PLLC operates four (4) offices in Tennessee and one (1) in Arkansas.

2. I am a citizen of the State of Tennessee and a resident of Shelby County, Tennessee.

3. I am over the age of eighteen (18), and I am competent to make this Affidavit.

4. I make this Affidavit pursuant to Western District Local Rule 54.1 in support of Ohio Security's Motion and Memorandum of Law in Support of its Attorney Fee and Costs Request against third-parties P&G Construction Consultants, LLC ("P&G") and William Griffin in the above-styled action.

5. I make this Affidavit based upon my experience practicing law throughout the West Tennessee area since 1981. I have been a member of the Tennessee Bar Association since 1982.

Exhibit B

6. My practice consists largely of civil litigation. In my practice, I have represented large and small businesses, retailers, manufacturers, property owners, individuals and insurance companies as both plaintiffs and defendants in federal and state court litigation throughout West Tennessee. I have managed complex cases in the United States District Court for the Western District of Tennessee, including the Eastern Division, during my nearly 42 years of practicing law. I am also admitted in and have practiced in the United States District Court for the Middle District of Tennessee and the Sixth Circuit of the United States Court of Appeals.

7. Attorneys with Spicer Rudstrom, PLLC, including myself, routinely handle on behalf of insurers, many cases where an insured alleges breach of contract by the insurer.

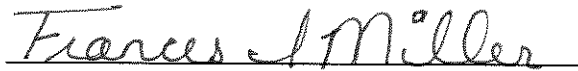
8. Insurance defense cases such as this one routinely involve the work of partners, associates, and support staff working together to zealously represent the client.

9. Based upon my own experience and my familiarity with other firms in the West Tennessee area, the prevailing rate for partners falls between \$275.00 and \$400.00 per hour for the defense of complex first party insurance cases, such as this one. The prevailing rate for associates falls between \$175.00 and \$275.00 per hour for such matters.

FURTHER THE AFFIANT SAYS NOT


S. NEWTON ANDERSON (BPR No. 09335)

Sworn to and subscribed before me this 22nd day of August, 2023.


Notary Public

My Commission Expires: 10-20-2024

